

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>CHRISTOPHER MALDONADO,</b>	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>CIVIL ACTION NO. 23-CV-3942</b>
	:	
<b>DEPUTY SHERRIFF RANKIN,</b>	:	
<b>Defendant.</b>	:	

**ORDER**

**AND NOW**, this 3<sup>rd</sup> day of June, 2024, upon consideration of Defendant Deputy Sheriff Rankin's Motion to Dismiss (ECF No. 16), Plaintiff Christopher Maldonado's Motion in Opposition of Dismissal (ECF No. 20); and (3) Deputy Sheriff Rankin's reply thereto (ECF No. 21), it is **ORDERED** that:

1. For the reasons stated in the Court's accompanying Memorandum, Deputy Sheriff Rankin's Motion (ECF No. 16) is **GRANTED IN PART** and **DENIED IN PART** as follows:

a. The Motion is **GRANTED** with respect to Maldonado's official capacity claim. The official capacity claim is **DISMISSED WITH PREJUDICE**.

b. The Motion is **DENIED** in all other respects.

2. Defendant Deputy Sheriff Rankin shall file a responsive pleading in accordance with Federal Rule of Civil Procedure 12(a)(4).

3. The Clerk of Court is **DIRECTED** to terminate Maldonado's Motion in Opposition of Dismissal (ECF No. 20), which is his merely his response to the Defendant's motion.

**BY THE COURT:**

*/s/ Mitchell S. Goldberg*

**MITCHELL S. GOLDBERG, J.**